

1 NICHOLAS A. TRUTANICH
2 United States Attorney
3 Nevada Bar No. 13644
4 CHRISTOPHER BURTON
5 Assistant United States Attorney
6 Nevada Bar No. 12940
7 501 Las Vegas Blvd. South, Suite 1100
8 Las Vegas, Nevada 89101
9 PHONE: (702) 388-6336
10 FAX: (702) 388-5087
11 Christopher.Burton4@usdoj.gov
12 Attorney for the United States of America

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

14 UNITED STATES OF AMERICA,

Case No. 2:20-mj-00482-NJK

15 Plaintiff,

Stipulation to Continue the Preliminary
Hearing (Second Request)

16 vs.

17 ZACHARY SANNS,

18 Defendant.

19 IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A.
20 TRUTANICH, United States Attorney, and CHRISTOPHER BURTON, Assistant United
21 States Attorney, counsel for the United States of America, and DAVID T. BROWN, ESQ.,
22 counsel for Defendant ZACHARY SANNS, that the preliminary hearing currently scheduled
23 for July 28, 2020, at 4:00 p.m., be vacated and continued to a date and time to be set by this
Honorable Court but no sooner than thirty (30) days.

24 This stipulation is entered into for the following reasons:

25 1. Counsel for the defendant needs additional time to review discovery and conduct
26 investigation in this case to prepare for the preliminary hearing and determine whether there are
27 any issues that must be litigated prior to the preliminary hearing.

1 2. The parties agree to the continuance.

2 3. The defendant is currently not detained and does not object to a continuance.

3 4. The additional time requested herein is not sought for purposes of delay, but to
4 allow counsel for defendant sufficient time within which to be able to effective and complete
5 investigation of the discovery materials being provided.

6 5. Additionally, there is good cause for continuing the preliminary hearing under
7 Federal Rule of Criminal Procedure 5.1(d) and denial of this request for continuance could
8 result in a miscarriage of justice. The additional time requested by this Stipulation is excusable
9 in computing the time within which the preliminary hearing, or filing of an indictment or
10 information herein must commence pursuant to the Speedy Trial Act, Title 18, United States
11 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
12 Section 3161(h)(7)(B)(i) and (iv).

13 6. This is the second stipulation to continue filed herein.

14
15 DATED this 24th day of July, 2020.

16
17 Respectfully submitted,
18 NICHOLAS A. TRUTANICH
19 United States Attorney

20 _____
21 //s//
22 DAVID T. BROWN, ESQ.
23 Counsel for Defendant
24 ZACHARY SANNS

20 _____
21 //s/
22 CHRISTOPHER BURTON
23 Assistant United States Attorney

1
2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 ZACHARY SANNS,

8 Defendant.

Case Number: 2:20-mj-00482-NJK

ORDER

9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
10 Court finds that:

11 1. Counsel for the defendant needs additional time to review discovery and conduct
12 investigation in this case to prepare for the preliminary hearing and determine whether there are
13 any issues that must be litigated prior to the preliminary hearing.

14 2. The parties agree to the continuance.

15 3. The defendant is currently not detained and does not object to a continuance.

16 4. The additional time requested herein is not sought for purposes of delay, but to
17 allow counsel for defendant sufficient time within which to be able to effective and complete
18 investigation of the discovery materials being provided.

19 5. Additionally, there is good cause for continuing the preliminary hearing under
20 Federal Rule of Criminal Procedure 5.1(d) and denial of this request for continuance could
21 result in a miscarriage of justice. The additional time requested by this Stipulation is excusable
22 in computing the time within which the preliminary hearing, or filing of an indictment or
23 information herein must commence pursuant to the Speedy Trial Act, Title 18, United States
24 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,

Section 3161(h)(7)(B)(i) and (iv).

6. This is the second stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

There is good cause in continuing the preliminary hearing and the ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is excusable under Federal Rule of Criminal Procedure 5.1(d) and the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), when considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).

ORDER

IT IS FURTHER ORDERED that the preliminary hearing currently scheduled for July 28, 2020, at the hour of 4:00 p.m., be vacated and continued to Friday, August 28, 2020, at the hour of 4:00 p.m., in courtroom 3C.

DATED this 27th day of July, 2020.

**THE HONORABLE NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE**